

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/665,432

REMARKS

Claims 1-7 and 9-20 are pending. Of the pending claims, claims 1-4, 9, 10 and 12 are rejected; and claims 5-7, 11 and 13-20 are objected to.

In Paragraph No. 8 of the Action, claims 1-4, 9-10 and 12 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kawasumi et al, U.S. Patent No. 4,810,734.

The Examiner's characterization of Kawasumi et al and her reasoning in support of the rejection are essentially the same as her characterization of Kawasumi et al and her reasoning in support of the rejection in Paragraph No. 4 of the previous Office Action mailed November 9, 2004.

The Examiner responds to Applicants' arguments in Paragraph No. 10 of the Action, bridging pages 3-4 of the detailed Action.

Specifically, the Examiner addresses Applicants' Declaration evidence. According to the Examiner, Mr. Naruse's Declaration does not provide clear evidence that the organic modified layered silicates of Kawasumi et al have a lower decomposition starting temperature than the 250°C lower limit recited in present claim 1, because the experiments carried out in the Declaration "used 10-aminodecanoic and N-hexadecanyl-4-methylpyridium bromide instead of the 12-aminododecanoic acid as listed in the reference."

Applicants submit that this rejection should be withdrawn because Kawasumi et al '734 does not disclose or render obvious the polymer composition of the present claims. In response to the rejection, Mr. Hideaki Naruse, the first-named inventor of the present application, has reproduced Example 1 of Kawasumi et al '734 using 12-aminododecanoic acid. As reported in

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/665,432

Mr. Naruse's Declaration Under 37 C.F.R. § 1.132 submitted herewith, the decomposition starting temperature of the organic modified layered silicate "F" prepared in the manner set forth in Example 1 of Kawasumi et al '734 was found to be 196°C. See the Table at page 2 of Mr. Naruse's Declaration. This is outside the claimed range of 250-350°C.

As explained at page 10, lines 2-5 of the present specification, conventional organic modified layered silicates have a lower decomposition starting temperature than the presently claimed range. The test result provided in Mr. Naruse's Declaration submitted herewith and the data provided in Mr. Naruse's Declaration dated April 28, 2005, submitted with the Amendment Under 37 C.F.R. § 1.111 of May 9, 2005, show that the organic modified layered silicates exemplified in Kawasumi et al U.S. Patent No. 4,810,734 and in U.S. Application Serial No. 10/606,236 do not have the claimed decomposition starting temperature. Furthermore, these documents fail to disclose or suggest a method for achieving the presently claimed high decomposition starting temperature.

For these reasons, Applicants submit that the polymer composition of the present invention is patentable over Kawasumi et al '734.

Reconsideration and withdrawal of the rejection of claims 1-4, 9-10 and 12 based on Kawasumi et al '734 are respectfully requested.

In Paragraph No. 9 of the Action, claims 5-7, 11 and 13-20 are objected to as being dependent upon a rejected base claim.

In view of the response to Paragraph No. 8 of the Action, above, Applicants respectfully submit that claims 5-7, 11 and 13-20 are in condition for allowance.

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/665,432

Allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brett S. Sylvester", written over a horizontal line.

Brett S. Sylvester
Registration No. 32,765

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 17, 2005